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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

UELIAN DE ABADIA-PEIXOTO, *et al.*, ) Case No.: 3:11-cv-4001 RS

Plaintiffs,

V.

UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY, *et al.*,

Defendants.

Case No.: 3:11-cv-4001 RS

## CLASS ACTION

**DECLARATION OF CATHERINE E.  
MORENO IN SUPPORT OF PLAINTIFFS’  
UNOPPOSED MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: April 10, 2014

Time: 1:30 p.m.

Judge: Honorable Richard Seeborg

Ctrm: 3, 17th Floor

1 I, Catherine E. Moreno, declare:

2 1. I am an attorney duly licensed to practice before this Court and one of the counsel  
3 in the above-captioned action for plaintiffs Uelian De Abadia-Peixoto, Esmar Cifuentes, Pedro  
4 Nolasco Jose, and Mi Lian Wei. I make this Declaration in support of Plaintiffs' Unopposed  
5 Motion in Support of Final Approval of Class Action Settlement. I have personal knowledge of  
6 the facts set forth herein and, if called as a witness, could and would testify competently thereto.

7 2. I am a partner at the law firm of Wilson Sonsini Goodrich & Rosati ("WSGR"),  
8 where I am a member of the firm's Pro Bono Committee.

9 3. WSGR is the premier provider of legal services to technology, life sciences, and  
10 growth enterprises worldwide, as well as the public and private capital markets that finance  
11 them. The firm's broad array of services and practice areas focuses on addressing the principal  
12 challenges faced by our clients' management, boards of directors, shareholders, and in-house  
13 counsel. We represent companies at every stage of development, from entrepreneurial start-ups  
14 to multibillion-dollar global corporations. WSGR is nationally recognized as a leader in  
15 corporate governance, public and private offerings of equity and debt securities, mergers and  
16 acquisitions, securities class action litigation, intellectual property litigation, joint ventures and  
17 strategic alliances, and technology licensing and other intellectual property transactions.

18 4. WSGR is based in Palo Alto, California and has offices in Austin, Beijing,  
19 Brussels, Georgetown (DE), Hong Kong, Los Angeles, New York, San Diego, San Francisco,  
20 Seattle, Shanghai, and Washington, D.C. WSGR has over three hundred attorneys between its  
21 San Francisco and Palo Alto offices and more than 600 worldwide.

22 5. In fiscal year 2012, our attorneys and other professionals provided approximately  
23 39,000 hours of *pro bono* legal work nationwide. Historically, the firm's services have ranged  
24 from defending an appeal of a groundbreaking \$4 million verdict against a former operative of a  
25 Chilean dictatorship to offering trademark advice to a Silicon Valley performing arts school.  
26 Recently, one of the firm's global generics partners advised the Medicines Patent Pool in its first-  
27 ever agreement with a pharmaceutical company, Gilead Sciences, to grant licenses to generic  
28 drug manufacturers for HIV/AIDS medicines, which will significantly improve access to such

1 treatments in developing countries. Over the years, our attorneys have given *pro bono* assistance  
2 to approximately 250 agencies in fields such as healthcare, education, arts, and the environment,  
3 and to numerous individuals in cases involving consumer, guardianship, and asylum issues.

4 6. WSGR has been recognized for its *pro bono* efforts with many *pro bono* awards.  
5 The State Bar of California has honored the firm's efforts with its President's Pro Bono Service  
6 Award (Large Firm Category), and the firm has received the Bar Association of San Francisco's  
7 Outstanding Law Firm in Public Service Award. We also have received *pro bono* awards from  
8 the Humane Society, Rubicon Programs, Little Kids Rock, Asian Pacific Islander Legal  
9 Outreach, Next Door Solutions to Domestic Violence, and the San Diego Volunteer Lawyer  
10 Program.

11 7. Regarding my experience, I received a Juris Doctor degree from Columbia  
12 University in 2001. I am a duly licensed attorney and am admitted to practice law in the States  
13 of California and New York.

14 8. I have practiced law for over ten years in a variety of securities and commercial  
15 litigation matters. I have handled trials, appeals, mediations, and arbitration proceedings across  
16 the United States, and have been involved in numerous federal court class action cases.

17 9. My colleagues and I have recorded significant time to this action. Below is a  
18 chart reflecting the WSGR attorney timekeepers and hours billed to this matter from January 1,  
19 2011 through December 31, 2013.

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21  
22  
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<b>Attorney Timekeeper</b>	<b>Hours Billed (2011-2013)</b>
Savith S. Ivengar	1,720.7 <sup>1</sup>
Catherine E. Moreno	805.9
Analisa M. Pratt	754.0
Thomas J. Martin	585.5
Angie Young Kim	545.4
Briza Sanchez	525.2
David J. Berger	42.5
Maulik G. Shah	38.4
Nicole Healy	21.6
David A. Brown	12.1
Aaron J. Katz	10.4
Bryan J. Ketrosier	8.2
Elizabeth C. Tippet	6.0
Pamela E. Glazner	5.8
Crystal M. Gaudette	4.1
<b>Total</b>	<b>5,085.8</b>

10. Applying the average maximum hourly billing rates under the Equal Access to Justice Act (“EAJA”),<sup>2</sup> this amounts to \$935,685.48. This amount excludes 338.9 hours recorded by sixteen (16) staff,<sup>3</sup> including summer associates, paralegals, reference librarians, and data analysts from 2011-2013, as well as filing, transportation, and other costs associated with this action.

11. It has been and remains my general practice to keep contemporaneous records for all time billed to clients and to enter all of my time for a particular client, on a particular day, in a single entry for the client on that date. It is also my practice to include sufficient detail in my time entries to inform the client as to the nature of the services I performed for them. I followed these billing practices throughout this case. My bills reflected no more than the time actually spent, and in many cases actually reflect less time than I spent.

<sup>1</sup> The increase in hours since my declaration in support of preliminary approval of the settlement, submitted on December 19, 2013, reflects additional time spent through December 31, 2013.

<sup>2</sup> The statutory maximum hourly rates (adjusted for increases in the cost of living) were \$180.59, \$184.32, and \$187.02 for 2011, 2012, and 2013 under the EAJA, as provided by the United States Court of Appeals for the Ninth Circuit. The average maximum rate for these years (\$183.98) multiplied by total hours billed by attorneys (5,085.8 hours) equals \$935,685.48.

<sup>3</sup> The twenty (20) staff referenced in my declaration in support of preliminary approval of the settlement, submitted on December 19, 2013, referred to staff on this case between 2009-2013.

